CLR No. 105 of 2015

Hon'ble Servesh Kumar Gupta, J.

Mr. Siddhartha Singh, Advocate for the revisionist.

Mr. Lok Pal Singh, Advocate for the respondent nos. 1 & 2.

The impugned order has been challenged by the learned counsel for the revisionist because the learned Trial Judge has refused to set aside the ex parte proceedings and as a consequence, taking the written statement on record, was also denied.

Having heard learned counsel for both the parties, I feel that the opportunity should have been rendered to the defendant to contest the case on merit.

So, the impugned order dated 24.8.2015 is hereby set aside and the application moved by the defendant under Order 9 Rule 7 is hereby allowed; with the result, the written statement shall be taken on record to further proceedings.

The revision stands disposed of accordingly.

(Servesh Kumar Gupta, J.)
06.11.2015

Ravi